

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Final Office Action dated September 28, 2009. Reconsideration and allowance of the application in view of the remarks to follow are respectfully requested.

Claims 1-3, 5-8, 10, 12 and 14-18 are pending in the Application. Claims 16-18 are added by this amendment.

In the Final Office Action, claims 1-3, 5, 10, 12, 14 and 15 are rejected under 35 U.S.C. §102(b) over U.S. Patent No. 2,281,434 to Gur Arye ("Gur Arye"). Claims 6 is rejected under 35 U.S.C. §102(b) or 35 U.S.C. §103(a) over Gur Arye. Claims 7 and 8 are rejected under 35 U.S.C. §103(a) over Gur Arye. The rejections are respectfully traversed. It is respectfully submitted that claims 1-3, 5-8, 10, 12 and 14-17 are allowable over Gur Arye for at least the following reasons.

Gur Arye shows a shaving device wherein cutting teeth are punched out of "sheet metal or blank by the conventional die punch press operation ..." (See, Gur Arye, FIGs. 19, 20, 21, 22 and 24 and page 5, right column, lines 16-19.) As clear from Gur Arye, a width of the cutting teeth along a longitudinal plane of the teeth increases linearly as you progress further from a tip of the teeth.

In Gur Arye, the cutting edges are generally flat edges, as shown in each of FIGs. 9, 10, 19a and 21a. Further, since the cutting teeth are die cut from sheet metal or a blank, a thickness of the teeth does not vary over the teeth.

It is respectfully submitted that the shaving apparatus of claim 1 is not anticipated or made obvious by the teachings of Gur Arye. For example, Gur Arye does not teach, disclose or suggest, a shaving apparatus that amongst other patentable elements, comprises (illustrative emphasis added) "wherein at least one of the edges of each pair of cooperating edges is provided with a cutting edge such that the hair is engaged with an increasingly thicker portion of the cutting edge as the hair is cut further into by the cutting edge, and wherein one of the cooperating tooth edges of a first tooth in a zone between a tip of the tooth and the cutting edge forms an abutment for a hair caught in the cutting opening, wherein a face of the abutment is directed parallel to a plane of the hairs, wherein the first tooth has a first width extending along a longitudinal plane of the first tooth that is narrower than a second width extending along the longitudinal plane of the first tooth, and wherein the first width is further from the tip of the first tooth than the second width" as recited in claim 1.

In Gur Arye the cutting edges are flat (not tapered) with respect to a cut hair and the width extending along a longitudinal plane of the teeth only increases (e.g., is not narrower) as you move further from the tip of the teeth along the longitudinal plane of the teeth.

Based on the foregoing, the Applicants respectfully submit that independent claim 1 is patentable over Gur Arye and notice to this effect is earnestly solicited. Claims 1-3, 5-8, 10, 12 and 14-18 respectively depend from claim 1 and accordingly are allowable over Gur Arye for at least this reason as well as for the separately patentable elements contained in each of the claims.

For example, with regard to the rejection of claims 7-8, the Office Action has maintained position that although the Office Action admits that Gur Arye does not disclose the limitations of the claims, the Office Action contends that "it would have been obvious to one having ordinary skill in the art to modify Gur Arye such that it is of a size and configuration that would fall within the claimed stroke characteristics to gain various well known benefits including performing cutting operations on the desired scale of workpiece and/or attaining desired cutting characteristics therefor." This position is respectfully traversed. It is

respectfully submitted that Gur Arye is clear that (emphasis added) "the movable cutter is translated with respect to the stationary cutter at least a distance equal to the width of a hair." (See, Gur Arye, page 8, left column, lines 18-21, cited in the Office Action.)

Accordingly and as clear from Gur Arye, the width of a hair is the minimum stroke length that is taught by Gur Arye.

While the Office Action contends that the benefits of a shorter stroke are obvious, this position is respectfully refuted. In fact, the Applicants contend that having a stroke length that is less than the thickness of hair is counterintuitive and that the benefits of such, were discovered and claimed by the Applicants. Accordingly, it is respectfully refuted that the recitations of claims 7-8 are obvious over Gur Arye.

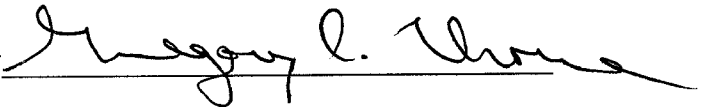
In any event, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to

submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

By 

Gregory L. Thorne, Reg. 39,398
Attorney for Applicant(s)
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THORNE & HALAJIAN, LLP
Applied Technology Center
111 West Main Street
Bay Shore, NY 11706
Tel: (631) 665-5139
Fax: (631) 665-5101